



**CITY OF SUNNYVALE
REPORT
Administrative Hearing**

September 14, 2005

SUBJECT: **2005-0649** – Application on a 6,810 square-foot site located at **608 East Fremont Avenue** in an R-0 (Low-Density Residential) Zoning District.

Motion Use Permit to allow medical office use and a Variance from Sunnyvale Municipal Code section 19.46.110 relating to access to parking spaces.

REPORT IN BRIEF

Existing Site Conditions Single Family Home

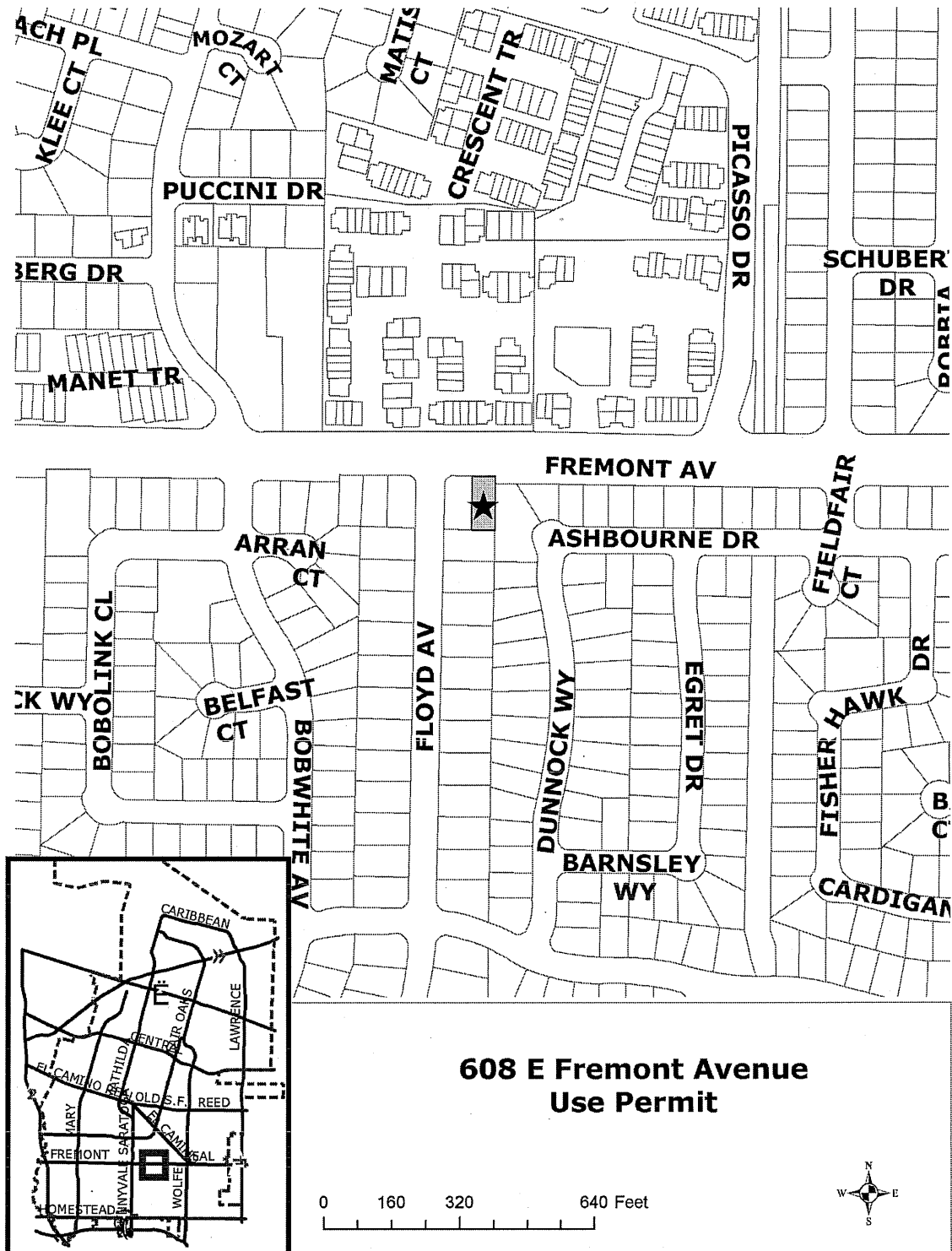
Surrounding Land Uses

North	Multi-Family Townhomes across Fremont Avenue
South	Single Family Home
East	Single Family Home
West	Single Family Home

Issues Compatibility of Use & Parking Configuration

Environmental Status A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

Staff Recommendation Deny



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Residential Low Density	Same	Residential Low Density
Zoning District	R-0	Same	R-0
Lot Size (s.f.)	6,810	Same	6,000 min.
Gross Floor Area (s.f.)	1,258	Same	No max.
Gross Floor Area of Medical Office Use (s.f.)	N/A	169	180 max (w/ one additional parking space)
Lot Coverage (%)	18%	Same	40% max.
Floor Area Ratio (FAR)	18%	Same	45% max. without PC review
No. of Buildings On-Site	2	Same	---
Distance Between Buildings	27'	Same	10' min.
Building Height (ft.)	15'	Same	30' max.
No. of Stories	1	Same	2 max.
Setbacks (First/Second Facing Property)			
Front	17'6"	Same	20' min.
Left Side	<1' (detached garage)	Same	4' min. (12' total)/ 7' min. (18' total)
Right Side	6' (house)	Same	4' min. (12' total)/ 7' min. (18' total)
Rear	Approx 12'	Same	20' min. (10' permitted with 25% encroachment) / 20' min
Landscaping (sq. ft.)			
Total Landscaping			20% min.

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
Parking			
★ Total Spaces	4	4 (5 th spot does not have direct access)	5 min.
Covered Spaces	2	Same	2 min.
Aisle Width (ft.)	Approx. 18	Same	12 min.

★ Starred items indicate deviations from Sunnyvale Municipal Code requirements.

ANALYSIS

Description of Proposed Project

The proposed project is to allow an acupuncture clinic within the R-0 Zoning District. Staff considers the clinic to be a medical office use which requires a Use Permit per Sunnyvale Municipal Code. If approved, other future medical office uses would be permitted. The applicant has indicated that most requirements listed for "Home Occupations" (Sunnyvale Municipal Code Section 19.42.110) would be met. The applicant has indicated that the business would request signage at a future date (maximum 4 square feet allowed through separate permit approval). The applicant does not expect more than three visitors or patients per day. The daily hours of operation shall be limited to 9am to 6pm per Condition of Approval #1F.

Additionally, the applicant requests a Variance from Sunnyvale Municipal Code Section 19.46.110 from parking requirements for the use. The applicant proposes a fifth parking space, as required for the office use, next to the uncovered spaces in front of the garage (4 spaces required for the single family home). Due to needed maneuvering area for the required spaces, staff cannot consider this fifth space unless a Variance from code requirements is approved.

Background

Previous Actions on the Site: There are no previous planning actions related to the site.

Environmental Review

Staff conducted a review of potential environmental impacts for the project and determined that the project is categorically exempt from environmental review

in accordance with the California Environmental Quality Act. Class 1 Categorical Exemptions include changes of use.

Use Permit & Variance

Site Layout: The subject property is currently a single family home located near the corner of Fremont and Floyd Avenue. The 169 square foot office would be located within front portion of the home as noted on the floor plan in Page 2 of Attachment C. The remaining area of the home would be utilized as living area for the resident.

The following Guidelines were considered in analysis of the project site design.

Design Policy or Guideline (Site Layout)	Comments
<i>B10 Provide convenient and safe pedestrian and automobile access to the site from adjacent streets.</i>	Access to the site is attained through a driveway off Fremont Avenue. The parking is located near the rear of the site in front of a detached garage. No parking is permitted along Fremont Avenue.

Architecture: There are no proposed changes to the architecture of the existing home. The home was originally built in 1947.

Parking/Circulation: The site meets parking standards for the single family use with a two car garage and two uncovered spaces. Medical office uses require one space per 225 square feet, according the S.M.C. Section 19.46.050. Therefore, one additional space is needed for the proposed use. The applicant has considered various locations for an additional space and has indicated that the best alternative lies either adjacent to the two uncovered spaces or next to the garage (right side). This would require removal of an existing fence as shown on site photos and site plan. Existing landscaping would also have to be replaced by paved area needed for the uncovered parking space.

The Transportation Division of the Public Works Department has reviewed each of these options and has noted that access is insufficient for maneuvering a vehicle in each case. Therefore, staff required a Variance application to enable consideration of these parking layouts. The applicant has also noted that the owner can park a vehicle in this additional space therefore allowing direct access to any patient or visitor of the site. If the Variance is approved, staff has included this option as Condition of Approval #3C.

Landscaping: An additional parking space for the proposed use will displace existing landscaping on the site. The site will meet landscaping standards for the R-0 Zoning District after additional area is allocated for parking.

Landscaping within the backyard should provide as a buffer to the neighboring residential use west of the site.

Compliance with Development Standards/Guidelines: The site complies with most development standards for the R-0 Zoning District. The existing home does not meet the required front yard setbacks and the minimum side yard setbacks are not met for the detached two-car garage. No modifications to the structures that would increase the non-conformity of the buildings are proposed. As noted in the application, the proposal deviates from the requirement for direct access to the additional parking space that is needed for the office use. The applicant has stated that this spot will be primarily used by the resident and therefore access will not be needed on a frequent basis.

Expected Impact on the Surroundings: The impact of the proposed use should not have any visual impact. If approved, however; signage for the site may be considered through a separate permit. Signage would be limited to 3 square feet per sign face as required by Municipal Code.

The applicant has indicated that an average of three patients would visit the site a day. As required by Municipal Code and by Condition of Approval #3A, parking for guests will be required to remain on-site. The site is surrounded by residential uses in all directions. Although, the proposed office use is relatively small with respect to gross floor area, staff is concerned with the compatibility of a new office use within a primarily single family neighborhood.

Fiscal Impact

No fiscal impacts other than normal fees and taxes are expected.

Public Contact

Staff has received 13 letters regarding the proposal. Many of these letters state concerns of the proposed change of use to allow an acupuncture (medical) office use at this location. The concerns relate to the appropriateness, parking and signage of the new office use. Attachment #E includes letters from interested residents related to this project.

Notice of Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none">• Published in the <i>Sun</i> newspaper• Posted on the site• 15 notices mailed to property owners and residents adjacent to the project site	<ul style="list-style-type: none">• Posted on the City of Sunnyvale's Website• Provided at the Reference Section of the City of Sunnyvale's Public Library	<ul style="list-style-type: none">• Posted on the City's official notice bulletin board• City of Sunnyvale's Website• Recorded for SunDial

Conclusion

Findings and General Plan Goals: Staff is recommending denial for this project because the Findings (Attachment A) were not made. However, if the Administrative Hearing Officer is able to make the required findings, staff is recommending the Conditions of Approval (Attachment B).

Conditions of Approval: Conditions of Approval are located in Attachment B.

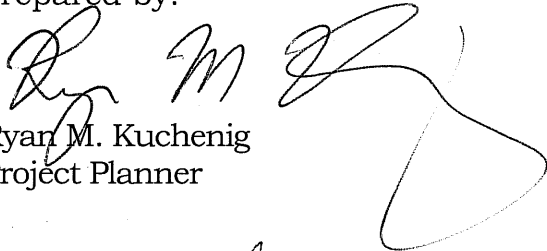
Alternatives

1. Deny the Use Permit and Variance
2. Approve the Use Permit and Variance with the attached conditions.
3. Approve the Use Permit and Variance with modified conditions.

Recommendation

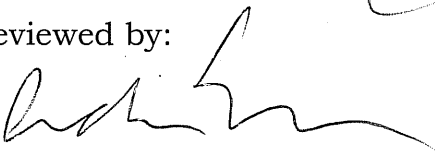
Alternative 1.

Prepared by:



Ryan M. Kuchenig
Project Planner

Reviewed by:



Andrew Miner
Principal Planner

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Site and Architectural Plans
- D. Letter and Variance Justifications from the Applicant
- E. Letters from Other Interested Parties

Recommended Findings - Use Permit

Goals and Policies that relate to this project are:

Land Use and Transportation Element Action Statement N1.1.1 – *Limit the intrusion of incompatible uses and inappropriate development into city neighborhoods.*

Land Use and Transportation Element Action Statement N1.13.3 - *Provide opportunities for and encourage neighborhood-serving commercial services in each neighborhood.*

1. The proposed use does not attain the objectives and purposes of the General Plan of the City of Sunnyvale as the office use is located within a predominately single family neighborhood. Although not included with this application, future signage may negatively impact the streetscape of the neighborhood. The proposed medical office would offer a convenient service to nearby residential uses. However, the location and layout of the subject site does not appear appropriate for the proposed use. Typically, mixed uses within single-family homes have been located closer to the downtown area or similar commercial office businesses.
2. The proposed use is not desirable, and will be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the Zoning District because the proposed medical office use is not compatible with the surrounding single-family neighborhood. Although home businesses are permitted within single-family homes, approval of a Use Permit to allow a medical office use at this site could allow additional activities not regulated by ordinance such as signage and number of visitors. Such impacts may be considered as detrimental of intrusive with a single family neighborhood.

Recommended Findings - Variance

1. Because of exceptional or extraordinary circumstances or conditions applicable to the property, or use, including size, shape, topography, location or surroundings, the strict application of the ordinance is found to deprive the property owner or privileges enjoyed by other properties in the vicinity and within the same zoning district. The site was originally zoned for a single family residential use. The site meets parking requirements for the current use of the site. There are limited locations on the property for an additional parking space that is needed for a medical office use. Staff cannot determine any unusual circumstances related to the characteristics of the property that limit the uses on site as it was not originally intended for a commercial use.
2. The granting of the Variance will be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the same zoning district. The proposed use may impact the surrounding uses by enabling an additional parking space that is not easily accessible and difficult to enforce. Although it has been noted that the proposed use is relatively small and traffic impacts are limited, spillover parking could impact neighboring residential streets if not enforced.
3. Upon granting of the Variance, the intent and purpose of the ordinance will still be served and the recipient of the Variance will be granted special privileges not enjoyed by other surrounding property owners within the same zoning district. Although some neighboring properties may have more possible parking locations on-site; each site must maintain adequate access to designated parking areas. The site was not originally intended or developed for mixed uses and the need for additional parking. In order to meet required parking, redevelopment or further alterations to the current layout of the structures would have to accommodate this need.

Recommended Conditions of Approval - Use Permit & Variance

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

Unless otherwise noted, all conditions shall be subject to the review of approval of the Director of Community Development.

1. GENERAL CONDITIONS

- A. Project shall be in conformance with the plans approved at the public hearing(s). Minor changes may be approved by the Director of Community Development, major changes may be approved at a public hearing.
- B. The Use Permit and Variance for the use shall expire if the use is discontinued for a period of one year or more.
- C. The Use Permit and Variance shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date.
- D. Any expansion or modification of the approved use shall be approved by separate application at a public hearing by the Administrative Hearing Officer.
- E. Indicate a separate refuse area for the office use of the site.
- F. Hours of operation shall be limited to 9am to 6pm, daily.
- G. The Use Permit shall be valid for medical office uses (including acupuncture).

2. SIGNS

- A. Any proposed signs for the business shall require separate permit approval. All signs shall be in conformance with Sunnyvale Municipal Code.

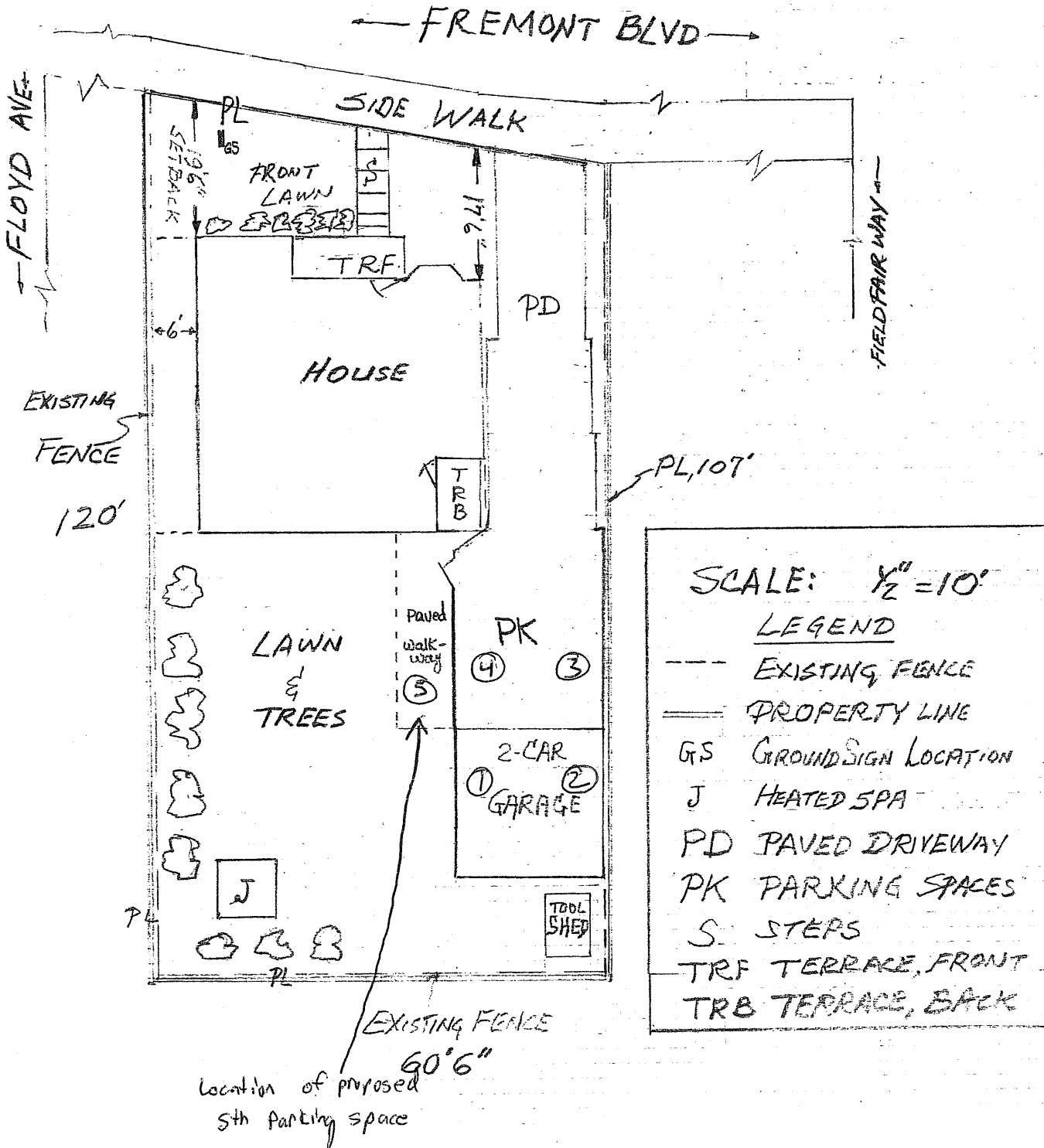
3. PARKING

- A. Guest parking for the office use shall remain on-site.
- B. Garage spaces shall be maintained at all times so as to allow parking of two automobiles.
- C. The parking space required for guests and patients shall be located in front of the garage area and shall be so marked. No vehicle owned or operated by a resident shall be parked in a guest space.

SITE PLAN
 608 E. FREMONT BLVD
 SUNNYVALE, CA 94087
 6/27/2005

ATTACHMENT C

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RESIDENTIAL FLOOR PLAN

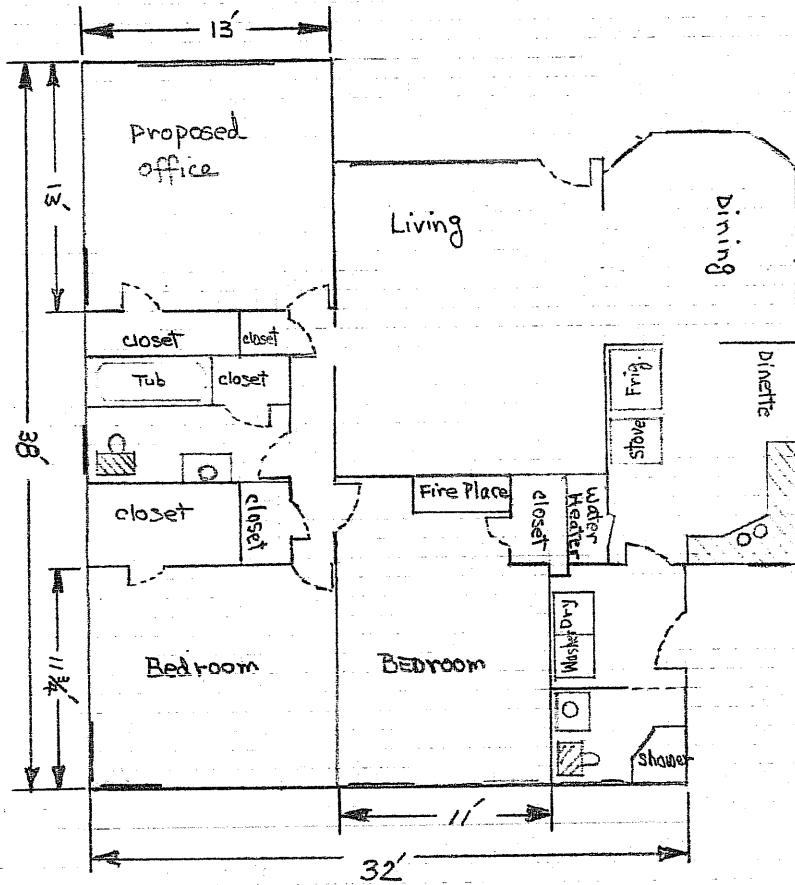
608 E. FREMONT AVE

SUNNYVALE, CA 94087

ATTACHMENT C

Page 2 of 2

N
1" = 10 FT



SIZE OF PROPOSED OFFICE 13' x 13' (169 ft²)

ATTACHMENT 0

Page 1 of 4

Date: 6/29/05

To: Department of Permit Center

From: Anna Wei Li *Anna Wei Li*

Subject: Written Description of Project

I wish to apply for a Use Permit for my house at 608 E. Fremont Ave for the purpose of Acupuncture Clinic. The proposed space will be the front room with square footage of 169.

A small clinic-catering maximum of three patients per day offers the surrounding neighbors a service especially beneficial to the elderly.

Your approval will be greatly appreciated.

VARIANCE JUSTIFICATIONS

Justifications must be submitted by the applicant with all Variance applications. Use this sheet or a separate sheet of paper to complete all of the three statements below.

In granting a Variance, all of the following justifications must be made by the Planning Commission or the Administrative Hearing Officer:

19.84.050. Findings.

(a) A Variance from the requirements of this title, except for the height of a ground sign, shall be approved only upon a showing by the applicant that:

1. Because of exceptional or extraordinary circumstances or conditions applicable to the property, or use, including size, shape, topography, location or surroundings, the strict application of the ordinance is found to deprive the property owner of privileges enjoyed by other properties in the vicinity and within the same zoning district.

The strict application of rules regards parking distances had disallowed the proposals of July & Aug 3rds for the 5th car's parking.

2. The granting of the Variance will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the same zoning district.

Granting of the variance to allow the 5th car parking will NOT be materially detrimental to the public welfare or injurious to the property improvements or uses within the vicinity.

3. Upon granting of the Variance the intent and purpose of the ordinance will still be served and the recipient of the Variance will not be granted special privileges not enjoyed by other surrounding property owners within the same zoning district.

Granting the variance to allow 5th car's parking will NOT be construed as special privileges and will enhance the possibility of an acupuncture clinic for the immediate vicinity.

If you need assistance in answering any of these justifications, contact the Planning Division staff at the One Stop Permit Center.

Date: 8/4/05
Ryan Kuchenig
Project Planner
456 Olive Ave
Sunnyvale, CA 94087

Anna Li, L.Ac.
Licensed Acupuncturist
608 E. Fremont Ave
Sunnyvale, CA 94087

VARIANCE JUSTIFICATION

Dear Ryan,

By now, I have exhausted all the options of modifications to properly allow the parking for the 5th car without violating the standard guidelines set by the city. I now have to resort to the filing of Minor Permits under the section of "Single Family Variance".

The variance request is to allow three cars parked parallel in front of the garage with the stipulation that the left side spot is reserved for "Customer Only". The right side parking space is designated as "Residence only". Either can use the center space

With the aforementioned "Variance", the following justification are met without issues:

1. Granting of variance will resolve the 5th parking issue, and customer will not have any problem in entering or exiting the facility for acupuncture service. The applicant for the use permit will not be granted any special privileges not enjoyed by others.
2. The granting of variance regarding the 5th parking space will not be materially detrimental to the public or injurious to the property, improvements or uses within the immediate vicinity and within the same zoning district.
3. The strict application of the ordinance did not allow the parking of the 5th car to the right front of the detached garage even though it's feasible as demonstrated in the 8/3/05's report. With the removal of the last section of fence, the parking will be easier.

Photo attachments are as follow:

1. Attachment #1 shows the view from inside of garage reflected two cars parked in front of garage.
2. Attachment two shows the view point from the entrance of driveway.
3. Attachment #3 shows three cars parked in front of the garage.
4. Attachment #4 shows a closer view of #3 with the side fence completely removed.

Please review the above, and advise your findings. Your favorable assessment is appreciated.

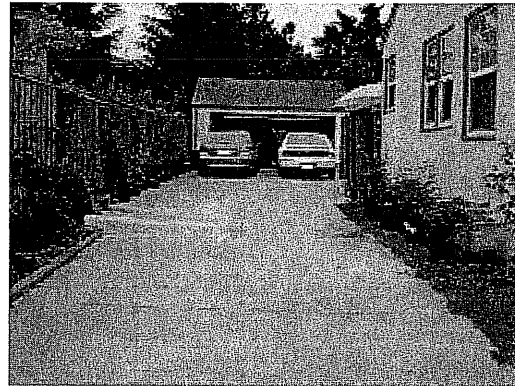
Sincerely Yours



Anna Li, L.Ac.



ATTACHMENT 1



ATTACHMENT 2



ATTACHMENT 3



ATTACHMENT 4

Ryan Kuchenig - Opposition to change in use for Residence to Business. Recommend nearby professional office or storefront.

From: Mike Cirimele
To: <RKuchenig@ci.sunnyvale.ca.us>,

Date: 8/22/2005 10:38:28 AM

Subject: Opposition to change in use for Residence to Business. Recommend nearby professional office or storefront.

Ryan, Dean, Julia, John,

I understand that a residence at 608 Fremont Ave has submitted a petition for rezoning or change-in-use to a business. I oppose such rezoning / change. The city founders & planners established residential and business zones to 1) protect the structure and sanctity of neighborhoods and 2) provide an appropriate location for business. Once a change in use is applied, it will 1) establish a new precedent and 2) be difficult to reverse. There are nearby offices and storefronts with vacancy that this business can rent.

Residential business can only negatively influence local resale values. Since resale value are the foundation of city property tax, the result is a lose – lose for both the city and homeowners.

Finally, neighborhood awareness is minimal. Wider communications of this proposal would spawn many of the same concerns from those impacted but currently unaware.

Mike Cirimele
Floyd Avenue, Sunnyvale

From:

john c

Sent: Friday, August 19, 2005 11:23 AM**To:** p**Subject:** RE: [neighborhood] Rezoning for an Acupuncture Clinic

On Behalf Of

ATTACHMENT E**Page 2 of 13**

I live on Falcon ave just about a long block from Floyd. I applaud someone for wanting to have their own business but a business of that sort does not belong in a neighborhood. It will cause too much more traffic and a business of that type belongs in a medical center or a place that caters to that type. There is a building on homestad and wolfe that has a for lease sign on it and that would be a perfect place for it. Still close to home but right where it belongs.

I oppose the petition filed to open an acupuncture clinic on 608 Fremont Avenue because that area is zoned for residential use.

Additionally, 608 Fremont Avenue will not have adequate parking for potential clients. I am very concerned that if the business is allowed to operate, its clients will park on Floyd Avenue and thereby:

- 1) Prevent regular street cleaning on Floyd Avenue;
- 2) Tighten Floyd and make it difficult for residents to turn left or right onto Fremont Avenue.
- 3) The tightening of Floyd Avenue could cause traffic accidents.

As good members of the community and diligent taxpayers who support the City of Sunnyvale, I hope the City Management will heed our opposition to allowing business use of 608 Fremont Avenue.

Thank you,

Jeanne C. Cardenas
Floyd Avenue

I totally support Mr. Cirimele in his opposition to the petition filed for 608 Fremont Avenue.

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This area of Fremont Avenue is residential. To allow the opening of an acupuncture clinic will diminish property values, create extra traffic on the already-busy Fremont Avenue and create a precedent for other businesses being opened in this area.

Furthermore, this residence does not have adequate parking for its would-be customers. They will have to park on Floyd Avenue and create unwanted traffic and noise in that area.

Finally, as Mr. Cirimele indicated, there are several vacant offices along the commercial area of Fremont Avenue suitable for this type of business .

To grant this petition would adversely impact the neighborhood's property values, aesthetics and ambience. I don't think this is fair to the rest of us who have chosen to live in this area of Sunnyvale and pay premium for its peace and quiet.

Thank you for your kind consideration,
Lorraine
Firebird Way

ATTACHMENT E

Page 5 of 13

Ryan Kuchenig - 608 West Fremont Avenue Property

From: "Art Kushner" <
To: <rkuchenig@ci.sunnyvale.ca.us>
Date: 8/30/2005 1:40:36 PM
Subject: 608 West Fremont Avenue Property
CC: <

Ryan,

I am writing with regard to the home at 608 West Fremont Avenue. As I understand the issue the owner has requested permission to operate an Acupuncture Clinic using one room of this house. I wish to express my opposition to this request. My reasons are as follows:

1. This particular block is residential in character with shopping areas only at the Sunnyvale/Saratoga and Wolfe Road intersections. Placing a business that will require "drive-ups" and parking in the midst of the area will change the character of the neighborhood.
2. Commercial signs, no matter how large or small will detract, from the appearance of the neighborhood. A small sign under your mailbox is okay but it is something else to have a large commercial sign on the front lawn.
3. Clients will have to find suitable parking since parking is not allowed on Fremont Avenue. No doubt clients will park around the corner on Floyd which will add to the congestion on the street and will in all likelihood inconvenience neighbors.
4. For those few clients that are able to park behind the house reentering traffic from the driveway onto Fremont Avenue may cause problems and increase the risk of fender benders.

There are a number of commercial buildings within a short distance of 608 West Fremont that have For Rent Signs on them. Any of these would make a better site for an Acupuncture Clinic.

Art Kushner

=====

Art Kushner
 Kushner Electroplating School

Want to improve your plating skills? Learn more about our training programs, software packages and consulting services by visiting us at www.platingschool.com.

Disclaimer:

The answers that are provided by Dr. Kushner are based on his personal opinion. Although he makes every attempt to provide answers that are correct, he usually does not have full knowledge and understanding of the background to the question and, therefore, does not guarantee the correctness of his answers. All answers are to be taken solely as a guide, and the reader of this e-mail is urged to make additional inquiries before pursuing a course of action to resolve his/her problem. Dr. Kushner, the Kushner Electroplating School and Scott-Joshua Corporation accepts no liability whatsoever for any damages that might occur as a result of the opinions expressed in this answer.

From: David Sangster
To: <rkuchenig@ci.sunnyvale.ca.us>
Date: 9/3/2005 2:22:42 PM
Subject: Acupuncture Clinic at 608 Fremont Avenue

ATTACHMENT E
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Ray -

I live near the proposed Acupuncture Clinic at 608 Fremont Avenue. I got your e-mail address from Art Kushner who sent you a note expressing his opposition to the project. I and many other neighbors are also opposed to the proposed use.

I understand there is a hearing scheduled for September 14 at 2:00 pm to discuss this. Unfortunately, that is not a convenient time for many of us to attend, given the constraints of the workday. I'm concerned if only a couple of people (or worse, no-one!) show up at the hearing to express opposition, it could be misconstrued by the Planning Committee as neighborhood apathy.

Rest assured, this is far from the case. We have two very active community Yahoo newsgroups (Panama Park Neighborhood Association and Ortega Park Neighborhood Association) where there has been a lot of e-mail traffic on how best to present a unified voice on opposition to the Clinic. I'm sure the moderators (Robert E. Harris - PPNA and Kitty Chuang - OPNA) would welcome your ideas on how best to provide the Planning Committee with additional neighborhood views on this topic.

I've taken the liberty of copying both Robert and Kitty on this note for their comments.

Thank you.

David Sangster
1416 Falcon Avenue

Start your day with Yahoo! - make it your home page
<http://www.yahoo.com/r/hs>

Ryan Kuchenig - File Number 2005-0649; Location 608 East Fremont Road Page 7 of 13

From:
To: <rkuchenig@ci.sunnyvale.ca.us>
Date: 9/5/2005 2:19:50 PM
Subject: File Number 2005-0649; Location 608 East Fremont Road
CC:

Ryan Kuchenig,

Several of our group became aware of the permit request at this private residence dwelling when they saw the sign in front of the house. Since this affects our neighborhood, we had hoped a wider distribution of the notice was made.

We do object to the issuance of a use permit for a medical office at this address. To allow a business in the middle of a very busy thoroughfare we feel presents a hazard. To allow a business that depends on vehicular traffic for its clients at such an inconspicuous location is bound to cause accidents. It is also in an area of much pedestrian traffic, especially with the beginning of the Fremont High School year.

Please consider our objection when hearing this issue on September 14.

Robert E. Harms

Vice-President

Panama Park Neighborhood Association

ATTACHMENT E

Page 8 of 13

From: Harsh Deshmane
To: <rkuchenig@ci.sunnyvale.ca.us>
Date: 9/6/2005 11:55:45 AM
Subject: objection to acupuncture clinic

Hi Ray,

I want to register my objection to the clinic,
unless the following apply:
a. there is no large sign
b. there are only fixed hours when people stop by
(i mean, like the daycare centers)

best regards,
-harsh deshmane
504 hendon ct

Do You Yahoo!?
Tired of spam? Yahoo! Mail has the best spam protection around
<http://mail.yahoo.com>

From: "Steve Archer"
To: <rkuchenig@ci.sunnyvale.ca.us>
Date: 9/6/2005 11:56:14 AM
Subject: Acupuncture Clinic at 608 Fremont Avenue

ATTACHMENT E
Page 9 of 13

Hi Ryan,

I've been hearing that there is a planned acupuncture clinic for 608 Fremont Avenue. I'm against this idea since this is a residential area. There is not a good parking facility for this business to use and the commercial signs will be out of place next to everyone else's homes. Also, there are other commercial properties near by that would be better suited to the clinic. Please register my opposition to this and to placing businesses of all types in residential areas.

Thank you,
Steve Archer
1619 Crow Ct.
Sunnyvale, CA.

Ryan Kuchenig - permit application for 608 Fremont Avenue**ATTACHMENT E**Page 10 of 13

From: "Carolyn and Joe Tajnai" <rkuchenig@ci.sunnyvale.ca.us>
To: <rkuchenig@ci.sunnyvale.ca.us>
Date: 9/6/2005 2:58:26 PM
Subject: permit application for 608 Fremont Avenue
CC: "shantha ranganathan" <shantha.ranganathan@ci.sunnyvale.ca.us>
 "Carolyn & Joe Tajnai" <carolyn@carolynandjoe.com>
 "Lisa & Brian Shew" <lisa@lisaandbrian.com>
 "Iammi & David" <iammi@iammianddavid.com>
 "Michael & Jill Ainscow" <michael@microbiology.com>
 "Dafna & Amos Dor" <dafna@dafnaandamos.com>
 "Lynn & Herb Gotelli" <lynn@lynnandherb.com>
 "Ranjita" <ranjita@ranjita.com>
 "John & Ellen Travis" <john@johnandellen.com>
 "marty medwin" <marty@medwin.com>
 Ken McKenna <ken@kenmckenna.com>

Dear Mr. Kuchenig:

We wish to express our strong objection to the permit application for an Acupuncture Clinic at 608 Fremont Avenue. We have seen the damage that encroachment of businesses can do to a neighborhood. Once a permit has been issued for one business, then the precedent has been set and other permits will be granted.

We are unable to attend the meeting on September 14, and we hope that our negative views will be taken into consideration.

Carolyn and Joe Tajnai (34 year residents)
 1532 Emperor Way
 Sunnyvale, CA 94087

ATTACHMENT EPage 11 of 13

From: Mary Ann Kurtz
To: <rkuchenig@ci.sunnyvale.ca.us>
Date: 9/7/2005 10:13:15 AM
Subject: 608 Fremont Avenue

Dear Mr. Kuchenig,

I am writing to express objection to the permit application for an Accupuncture Clinic at 608 Fremont Avenue. We have lived in this neighborhood for nearly 18 years, and we have appreciated the way Sunnyvale has continue to maintain a family friendly fee to the neighborhood. Our kids can walk to school and parks. The streets are, for the most part, uncrowded. I believe that allowing businesses to accept clients within the neighborhood would increase traffic and negatively affect the look and feel of the neighborhood.

Thank you for your consideration.
Mary Ann Kurtz
782 Durshire Way
Sunnyvale, CA 94087

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From: "Dafna Dor"
To: <rkuchenig@ci.sunnyvale.ca.us>
Date: 9/7/2005 9:39:04 PM
Subject: Objection to the permit application for an Acupuncture Clinic at 608 Fremont Avenue

Dear Mr. Kuchenig:

We wish to express our strong objection to the permit application for opening an Acupuncture Clinic at 608 Fremont Avenue. We would not want to see the damage that encroachment of businesses will do to our quiet neighborhood. Once a permit has been issued for one business, then the precedent has been set and other permits will be granted.

We'd like very much to attend the meeting on September 14, unfortunately we can't attend it.

We hope that our negative views will be taken into consideration.

Dafna and Amos Dor
1515 Emperor Way
Sunnyvale, CA 94087

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Ryan Kuchenig - 608 West Fremont Ave Acupuncture Clinic

From: "Lillian McCrorie"
To: <rkuchenig@ci.sunnyvale.ca.us>
Date: 9/8/2005 12:29:34 PM
Subject: 608 West Fremont Ave Acupuncture Clinic
CC: <council@ci.sunnyvale.ca.us>

Dear Mr. Kuchenig,

We are homeowners who live in the neighborhood of the home at 608 West Fremont Ave. We understand that the homeowner has asked for permission to operate an Acupuncture Clinic at his house. We STRONGLY oppose granting this petition. Since your meeting takes place during the day, we cannot get off work to voice our concerns in person, so I hope you will look at this email as a voice of opposition.

Our reasons for opposing this are that there is no parking along Fremont Ave where this home is located. That means that any parking will be done at the nearest street, which is Floyd. That is not fair to the homeowners on Floyd for the extra congestion that these cars will cause. This road is also leads directly towards the neighborhood elementary school, Stockmeir, and there is enough traffic off this road from parents of school children and we don't need any more congestion.

This is a residential area and there is plenty of surrounding building that house medical and dental offices with ample parking nearby. Some of these building even have for rent or lease signs on them. The owners of 608 West Fremont Ave should be required to rent a space like any other doctor or dentist in the area to provide their medical care.

Thank you for taking the time to listen to the local neighbors.

Lillian and Pete McCrorie
1412 Flicker Way